



U.S. Department of Justice

United States Attorney
Southern District of New York

26 Federal Plaza, 37th Floor
New York, New York 10278

April 23, 2025

The Honorable Arun Subramanian
United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007

Re: *United States v. Combs*, S3 24 Cr. 542 (AS)

Dear Judge Subramanian:

The Government respectfully writes in response to the Court's April 22, 2025 order seeking additional information regarding the risk of harm to Victim-4 were she to testify under her own name. Those harms, which are detailed in a declaration from her counsel, attached hereto as Exhibit A ("Ferrara Decl."), are numerous and more than sufficient to warrant a pseudonym.

Victim-4 wishes to testify under a pseudonym. The risk of harm to Victim-4 otherwise, including psychological, emotional, and professional harms of publicly talking about [REDACTED], more than justify the use of a pseudonym. (See Ferrara Decl. ¶¶ 4, 8-12); see also *United States v. Paris*, No. 06 Cr. 64 (CFD), 2007 WL 1484974, at *2 (D. Conn. May 18, 2007) (allowing use of a pseudonym where victims faced "likely adverse personal, professional and psychological consequences of publicly linking their identities to their past" experiences). Victim-4 also fears harassment—[REDACTED]

[REDACTED] (See Ferrara Decl. ¶¶ 15-16). It is quite reasonable to think that the harassment will increase exponentially if she testified under her true name, especially with the press coverage this case has garnered. See *United States v. Marcus*, No. 05 Cr. 457 (ARR), 2007 WL 330388, at *1 (E.D.N.Y. Jan. 31, 2007) (finding that "[i]n light of the explicit nature of the conduct that the witnesses will be testifying about . . . the court has determined that the witnesses's fear of harassment and reprisals" by the media and others "is legitimate"). The Court should therefore allow Victim-4 to testify under a pseudonym.

The defendant cites no cases in this circuit denying pseudonyms for victim witnesses. Cf. Gov't Pseudonym MIL at 8-9 (collecting cases in which pseudonyms were permitted). [REDACTED] does not, as the defendant suggests, "serve as a waiver" of her application for a pseudonym or her rights as a victim to be protected and treated with fairness and respect under the Crime Victims' Rights Act, 18 U.S.C. § 3771. (Def. Apr. 21, 2025 Ltr. at 3). [REDACTED] Victim-4 has never spoken publicly about the sensitive topics that she will cover in her testimony [REDACTED]

(See Ferrara Decl. ¶¶ 5-6). Indeed, before her

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